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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,701	01/29/2001	Toru Tatsumi	NECW 18.281	3273

26304 7590 12/05/2002

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NEW YORK, NY 10022-2585

EXAMINER
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TSAL, H JEY

ART UNIT	PAPER NUMBER
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2812

DATE MAILED: 12/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/744701 APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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12

DATE MAILED:

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The response filed on Sept. 27, 2002 is non-responsive because applicants fail to elect a single disclose species as set forth in the restriction requirement. The election of first species of claims 47 to 90 contains first species (e.g. claim 47, 61, 62 etc. growing metal oxide layer) and second species of forming a semiconductor device such as capacitor (e.g. claims 57, 59, 60 etc).

Applicant is advised that a complete reply to this requirement must include an identification of the species that is elected and a listing of all claims readable thereon.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry of a general nature or clerical matters or relating to the status of this application or proceeding should be directed to the Group customer service whose telephone number is (703) 306-3329 and Fax number (703) 306-5515. Group receptionist telephone number 703-308-0956.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to H. Jey Tsai whose telephone number is (703) 308-1374. The examiner can normally be reached on from 7:00 Am to 4:00 Pm., Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling can be reached on (703) 308-3325. The fax phone number for this Group is (703) 305-3431.

hjt  
12/2/02

H. Jey Tsai  
Primary Examiner  
Patent Examining Group 2800